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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/743,745 Confirmation No. 9090
Applicant : Shigekazu YASUOKA et al.
Filed : December 24, 2003
TC/A.U. : 1742
Examiner : Jessee Randall Roe
Dkt. No. : SNY-048
Cust. No. : 20374

I hereby certify that this paper is being
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Office to facsimile number (571)273-8300.



Ronald J. Kubovcik

RESPONSE TO COMMUNICATION RE APPEAL DATED OCTOBER 29, 2009

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 13, 2009

Sir:

This paper responds to the Office communication dated October 29, 2009, re "Appeal".

The communication states that the Appeal Brief filed April 20, 2009, is defective because the Evidence Appendix includes two references that were introduced with the amendment filed January

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PATENT APPLN. NO. 10/743,745
RESPONSE TO COMMUNICATION

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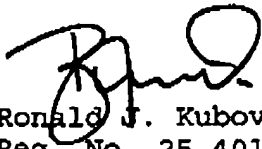
21, 2009, but which were not properly cited. The communication requires the filing of a new paper properly citing the references.

Attached to this response is Form PTO/SB/08 which lists the two references identified in the Evidence Appendix of the Appeal Brief filed April 20, 2009, and which were introduced with the amendment filed January 21, 2009.

The Examiner is respectfully requested to initial and date the attached Form PTO/SB/08 to show that the references have been considered and to then return the application/appeal to the Board of Patent Appeals and Interferences for docketing.

Respectfully submitted,

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